IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO : 15341 of 1994

Between:

Smt. S. Saraswathi W/o. S. Sudhakar
P.E.T., Sharma Memorial Girls High School,
Chittoor, r/o. Chittoor.

..... PETITIONER

AND

1 The Correspondent, Sharman Memorial Girls
High School, Chittoor.

2 The District Educational Officer, Chittoor.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction, particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in not considering the case of the petitioner for promotion to the post of Social Assistant(Social Studies) in the existing vacancy as illegal, improper, arbitrary and unwarranted, and further declare that the petitioner is entitled for promotion as Social Assistant (Social Studies) in the existing vacancy as in-service candidate, and pass such other order or orders.

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondent No.: GP FOR EDUCATION

The Court Made the Following :

ORDER:

The petitioner is aggrieved by the inaction on the part of the respondents in not considering her case for promotion to the post of Social Assistant(Social Studies) in the existing vacancy(as it existed as on 24-08-1994) as illegal, improper and arbitrary.

The case of the petitioner is that under the Rules, she is entitled for consideration of her case for promotion to the post of Social Assistant in the existing vacancy at the relevant time, as she possesses the requisite qualifications.

This Court having admitted the writ petition on 29-08-1994, directed the respondents to consider her case. Practically, the relief as prayed for granted even at the interlocutory stage. Nothing is known at this point of time, as to what transpired after the interim order passed by this Court.

It is needless to observe that if the petitioner's case is positively considered by the respondents and she was promoted as prayed for, she cannot be disturbed from that position as on today. If no relief was granted even after such consideration, no further directions could be issued at this point of time since the petitioner's case itself is confined for consideration of her case for promotion in the vacancy that existed as on 24-08-1994.

In such view of the matter no further directions as such are

required to be issued and the writ petition is disposed of with the observations as above. No order as to costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Correspondent, Sharman Memorial Girls High School, Chittoor.
2. The District Educational Officer, Chittoor.
3. 2 CCs to G.P. for Education, High Court of A.P. High Court Buildings, Hyderabad.
4. 2 CD copies.